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10/065,686 11/08/2002		11/08/2002	Peter J. Kennedy	U02-0052(23)			
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MOORE & VAN ALLEN PLLC P.O. BOX 13706				SOBUTKA	SOBUTKA, PHILIP		
		rk, NC 27709	ART UNIT	PAPER NUMBER			
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Please find below and/or attached an Office communication concerning this application or proceeding.

 1) □ Responsive to communication(s) filed on 2a) □ This action is FINAL. 2b) ☑ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. 			Application	n No.	Applicant(s)					
Philip J. Sobultia	Office Action Summary			6						
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. 1 The period for reply specified above the thinking of 3 CPR 1.13(q). In an event, however, may a reply be timely filled 1 the period for reply specified above the instantion and of 2 CPR 1.13(q). In an event, however, may a reply be timely filled 1 the period for reply specified above the instantion studyo priod will specified above the instantion and studyo priod will specified above the instantion and studyo priod will specified above the instantion that the period for reply specified above the instantion studyo priod will specified above the instantion that the mailing date of this communication. 1 If No period for reply specified above the instantion studyo priod will specified to become ABMOONIC (35 U.S. £ § 135). 1 Responsive to communication(s) filled on					Art Unit					
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Art Unit: 2684

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35
 U.S.C. 102 that form the basis for the rejections under this section made in this
 Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 2. Claims 1,2,8-28,34-50, are rejected under 35 U.S.C. 102(e) as being anticipated by Kleier et al (US 2002/0009990)

Consider claim 1. Kleier teaches a method for establishing communications with multiple communication devices, comprising: selecting a multiparty call group from a storage device or forming a multiparty call group (Fig 1), wherein the multiparty call group includes contact information for each communication device in the multiparty call group (para. 8); and establishing communications with each communication device in the multiparty call group.

Consider claim 23. Kleier teaches a method for establishing communications with multiple communication devices, comprising: providing a multiparty call feature for selection by a user (paras. 3-6); and presenting an option for the user to select any stored multiparty call group or to form a multiparty call group in response to the user selecting the multiparty call feature (fig 1).

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Consider claim 43. Kleier teaches a device for establishing communications with multiple communication devices, comprising: a multiparty call feature; a display to present the multiparty call feature to a user for selection (fig 1); a storage device to store any multiparty call groups for selection by the user (para 8); a transmitter to communicate with members of a multiparty call group (note that the mobile phones of fig 8 would comprise transmitters).

As to claim 44, Kleier teaches the device of claim 43, further comprising at least one multiparty call group, wherein the multiparty call group is formed by at least one of selecting stored contact information or by entering contact information into the device (fig 1).

As to claims 2,28 note that the communication established is a conference call.

As to claims 8,9,11,27,34,35,36, note that Kleier teaches the conference call being established by sending an SMS text message (Kleier see especially para 6).

As to claim 10, note that Kleier teaches the invitation being WAP, which is mobile internet (Kleier para 6, claim 12).

As to claims 12,25,26,48,49,50, note that Kleier teaches the selection being through entering an identifier or scrolling through a list (Kleier see especially fig 1).

As to claims 13,37 note that the contact info is stored in the device (Kleier see para 25).

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As to claims 14,38,45,46, note that the selection is made using a keypad (para 25,26).

As to claims 15-17,20-22,24,39,40,42,44, note that contact info and identifiers can be stored and edited as well as selected (para 25,26).

As to claim 18,19,41,47, note that Kleier teaches storing the contact info at the MSC or SIM card (Kleier see especially para 28).

Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 4. Claims 54-59,64-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kleier.

Consider claim 54. Kleier teaches everything claimed as shown above except for the mobile network containing at least one base station. Official Notice is taken that it is notoriously well known in the art to equip mobile network with base stations. It would have been obvious to one of ordinary skill in the art to modify Kleier's network to include base stations in order to allow for cellular type coverage.

As to claim 66, Kleier teaches everything claimed except for the method being stored on computer readable media. Official notice is taken that it is notoriously well known in the art to store control methods on computer readable

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media. It would have been obvious to one of ordinary skill in the art to modify

Kleier to store the method in computer readable media in order to allow it to be
easily implemented on another system.

As to claims 55-58,67-69, note that Kleier teaches the selection being through entering an identifier or scrolling through a list (Kleier see especially fig 1).

As to claim 59, note that the communication established is a conference call.

As to claims 64,65, note that Kleier teaches the conference call being established by sending an SMS text message (Kleier see especially para 6).

5. Claims 3,29,52,60,70are rejected under 35 U.S.C. 103(a) as being unpatentable over Kleier in view of Chang et al (US 2002/0072354).

Kleier teaches everything claimed as shown above except for the multiparty call being set up by dialing each device of the group. Kundaje teaches establishing a multiparty call by dialing each member of a group (Chang see especially para 56). It would have been obvious to one of ordinary skill in the art to modify Kleier to use Chang's dialing method of conference call establishment in order to simplify the conference establishment.

6. Claims 4,30,61,71, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kleier in view of Bradshaw, Jr. (US 6,236,854).

Kleier teaches everything claimed as shown above except for the conference call being established through the MSC. Bradshaw teaches establishing a conference call using the MSC (Bradshaw fig 1, col 4, lines 14-33).

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It would have been obvious to one of ordinary skill in the art to modify Kleier to utilize the MSC to establish the conference call in order to utilize the existing control to perform the function.

7. Claims 5,6,31-33,51,62,63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kleier in view of Barber et al (US 6,088,435).

Kleier teaches everything claimed as shown above including the establishment comprising transmitting an acoustic message (Kleier see especially para 30), but lacks a teaching of the acoustic invitation message being a voice message. Barber teaches a conference call invitation being in the form of a pre-stored voice message (Barber see especially col 1, lines 8-22). It would have been obvious to one of ordinary skill in the art to modify Kleier to use the pre stored voice message of Barber to establish the conference call in order to impart a personalized message to the invitees.

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kleier in view of Berber and in view of Bradshaw, Jr. (US 6,236,854).

Kleier in view of Berber teaches everything claimed as shown above except for the conference call being established through the MSC. Bradshaw teaches establishing a conference call using the MSC (Bradshaw fig 1, col 4, lines 14-33). It would have been obvious to one of ordinary skill in the art to modify Kleier in view of Berber to utilize the MSC to establish the conference call in order to utilize the existing control to perform the function.

9. Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kleier in view of Chang and in view of Bradshaw, Jr. (US 6,236,854).

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Kleier teaches everything claimed as shown above except for the conference call being established through the MSC. Bradshaw teaches establishing a conference call using the MSC (Bradshaw fig 1, col 4, lines 14-33). It would have been obvious to one of ordinary skill in the art to modify Kleier in view of Chang to utilize the MSC to establish the conference call in order to utilize the existing control to perform the function.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J. Sobutka whose telephone number is (571) 272-7887. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).

Philip Sobutka (703) 305-4825

April 17, 2005

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